

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff(s),

v.

STEVEN SILULU

Defendant(s).

Case No.2:19-CR-212 JCM (VCF)

ORDER

Presently before the court is defendant Steven Sililu's motion for appointment of counsel. (ECF No. 59).

Also before the court is defendant's motion to seal his financial affidavit. (ECF No. 60).

Also before the court is defendant's motion for early termination of supervised release. (ECF No. 62). The government noticed its non-opposition to this motion. (ECF No. 63).

I. Background

In March 2021, defendant pleaded guilty to felon in possession of a firearm. (ECF No. 32). He was sentenced to 51 months in custody, followed by three years of supervised release. (ECF No. 47). Defendant commenced his term of supervision in May 2023. (ECF No. 62). He now seeks early termination of his supervision. (*Id.*).

II. Motion for Appointment of Counsel

As an initial matter, the court finds good cause to grant defendant's motion for appointment of counsel. (ECF No. 59). Assistant Federal Public Defender Aden Kahssai is appointed to represent him.

III. Motion to Seal

The court also finds good cause to grant defendant's motion to seal his financial affidavit.

(ECF No. 60). The need to keep the information in his affidavit sealed outweighs the public's interest in disclosure and access to court records. *See Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir. 2006) (explaining that courts must balance the competing interests “of the public and the party who seeks to keep certain judicial records secret”). Defendant is given leave to file his financial affidavit under seal (ECF No. 61) and the clerk is instructed to maintain it under seal.

IV. Motion for Early Termination

Pursuant to 18 U.S.C. § 3583(e), the court may, after considering the factors set forth in 18 U.S.C. § 3553(a), terminate supervised release after one year “if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). Those factors include, *inter alia*, “the nature and circumstances of the offense and the history and characteristics of the defendant” and “the kinds of sentence and the sentencing range established for the applicable category of offense committed by the applicable category of defendant.” 18 U.S.C. § 2582(a)(1)(4).

To warrant termination, the defendant need not show undue hardship, changed circumstances, or even exceptionally good behavior. *United States v. Ponce*, 22 F.4th 1045, 1047 (9th Cir. 2022). But the defendant still carries the burden to show that, on balance, the relevant sentencing factors weigh in favor of termination. *Id.* District courts enjoy “broad discretion in determining whether to grant a motion to terminate supervised release.” *United States v. Emmett*, 749 F.3d 817, 819 (9th Cir. 2014).

After considering the relevant factors; (1) the nature and circumstances of the offense and defendant, (2) deterrence of future criminal conduct, (3) the need to protect the public from future crimes, (4) providing the defendant with needed treatment and services, (5) other kinds of sentences available, (6) the pertinent sentencing commission policy statements; the court is satisfied that termination is warranted in the interest of justice. 18 U.S.C. § 3583(e)(1).

The government does not oppose this motion. (ECF No. 63). Defendant is not likely to commit future crimes given the stability of his employment, residence, and social circumstances. (ECF No. 62). His term of incarceration and time spent under supervision are adequate deterrence.

V. Conclusion

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's motion for appointment of counsel (ECF No. 59) be, and the same hereby is, GRANTED. Assistant Federal Public Defender Aden Kahssai is appointed to represent defendant.

IT IS FURTHER ORDERED that defendant's motion to seal his financial affidavit (ECF No. 60) be, and the same hereby is, GRANTED. The clerk of court is instructed to maintain ECF No. 61 under seal.

IT IS FURTHER ORDERED that defendant's motion for early termination of supervised release (ECF No. 62) be, and the same hereby is, GRANTED.

DATED April 9, 2025.

James C. Mahan
UNITED STATES DISTRICT JUDGE